

REMARKS/ARGUMENTS

Claims 1-49 are pending in the present application. By this reply, claims 42-49 have been added. Claims 1, 10, 18, 25, 30, 34, 42 & 46 are independent claims.

Double-Patenting Rejection

Claims 1-41 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-21 of U.S. Patent No. 6,721,252. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants herewith submit a Terminal Disclaimer disclaiming the terminal portion of any patent granted on the present application which would extend beyond the expiration of U.S. Patent No. 6,721,252. The filing of the Terminal Disclaimer is not and should not be in any way construed as an admission of the propriety of the rejection. MPEP § 804.02. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested. **The filing fee of \$110.00 for filing a Terminal Disclaimer is attached hereto.**

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, Applicants respectfully request the Examiner to reconsider and withdraw all of the objections and rejections of record, and earnestly solicit an early issuance of a Notice of Allowance.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASH & BIRCH, LLP

By Esther H. Chong #40,953
for James T. Eller, Jr., #39,538

P.O. Box 747
Falls Church, VA 22032-0747
(703) 205-8000

JTE/EHC:sld

Attachments: Terminal Disclaimer